

### **Amendments to the Claims**

1. (Previously Presented) An implantable device for changing the spatial relationship between first and second bones, the device comprising:

a body configured and dimensioned for insertion into a joint located between the first and second bones and coated with a bone growth promoting material, the body including bone-contacting first and second major planar surfaces, a side surface therebetween, a first channel extending through the first major planar surface and side surface, and a fastener means for fixedly connecting the body to the first bone, the fastener means disposed in the first channel such that the fastener means angularly extends at an acute angle through the side surface to the first major planar surface,

wherein one major surface tapers to form a pointed edge with the other major surface, and wherein the bone growth promoting material includes a bone morphogenic protein.

2-3. (Canceled)

4. (Original) The device of claim 1 wherein the bone growth promoting material includes collagen.

5. (Original) The device of claim 4 wherein the collagen is in the form of apatite compositions with collagen.

6. (Original) The device of claim 4 wherein the bone growth promoting material includes demineralized bone.

7. (Original) The device of claim 6 wherein the demineralized bone is a powder.

8. (Original) The device of claim 1 wherein the body has an open cellular structure to

provide cavities in which bone can grow through.

9. (Original) The device of claim 8 wherein the body is made of a biocompatible metallic material.

10. (Original) The device of claim 9 wherein the body is made of tantalum.

11-12. (Canceled)

13. (Original) The device of claim 8 wherein at least some of the cavities contain a bone growth promoting material.

14. (Cancelled)

15. (Previously Presented) The device of claim 1 wherein the fastener means includes a screw.

16-18. (Canceled)

19. (Previously presented) The device of claim 1 wherein at least a portion of the side surface has a configuration corresponding to at least a section of an outer side surface of one of the first and second bones.

20. (Currently amended) ~~The device of claim 1 further including~~ An implantable device for changing the spatial relationship between first and second bones, the device comprising:  
a body configured and dimensioned for insertion into a joint located between the first and second bones and coated with a bone growth promoting material, the body including bone-  
contacting first and second major planar surfaces, a side surface therebetween, a first channel

extending through the first major planar surface and side surface, a second channel extending through the second major surface and the side surface, and a fastener means for fixedly connecting the body to the first bone, the fastener means disposed in the first channel such that the fastener means angularly extends at an acute angle through the side surface to the first major planar surface,

wherein one major surface tapers to form a pointed edge with the other major surface, and wherein the bone growth promoting material includes a bone morphogenic protein.

21. (Previously Presented) The device of claim 20 further including a second fastener means for fixedly connecting the body to the second bone, the second fastener means disposed in the second channel.

22. (Currently amended) The device of claim 21 wherein the first and second fastener means includes two screws.

23. (Cancelled)

24. (Cancelled)

25. (Currently amended) ~~The device of claim 24 further comprising:~~ An implantable device for changing the spatial relationship between first and second bones of a joint, the device comprising:

a body including bone-contacting first and second major surfaces, a side surface therebetween, a first channel angularly extending at an acute angle through the first major surface and side surface, and a second channel extending through the second major surface and side surface; and, wherein one major surface tapers to form a pointed edge with the other major surface and the first and second major surfaces and side surface are positionable in the joint between the first and second bones such that the first major surface contacts the first bone and the

second major surface contacts the second bone;

a fastener means for fixedly connecting the first major surface of the body to the first bone, wherein the fastener means is disposed through the first channel such that the first major side surface remains affixed to the first bone;

a second fastener means for fixedly connecting the second major side surface of the body to the second bone, wherein the second fastener means is disposed through the second channel;  
and

a coating covering the body, wherein the coating includes a bone growth promoting material and wherein the bone growth promoting material includes a bone morphogenic protein.

26. (Currently amended) The device of claim 25 wherein the first and second fastener means includes a screw.

27. (Currently amended) The device of claim 24 25 wherein at least a portion of the side surface has a configuration corresponding to at least a section of an outer side surface of one of the first and second bones.

28. (Currently amended) The device of claim 24 25 wherein the body is made of tantalum.

29. (Currently amended) The device of claim 24 25 wherein at least the first major surface of the body has an open cellular structure to provide cavities in which bone can grow through.